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Elections to fill vacancies in subsidiary organs and other elections: election of 47 members of the Human Rights Council

Letter dated 7 April 2006 from the Permanent Representative of Mali to the United Nations addressed to the President of the General Assembly

I have the honour to submit the candidacy of the Republic of Mali for the elections to the Human Rights Council for the period 2006-2009, to be held on 9 May 2006.

Mali's voluntary pledges and commitments will be set out in a subsequent communication (see aide-memoire).

(*Signed*) Cheick Sidi **Diarra**
Ambassador
Permanent Representative

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Annex to the letter dated 7 April 2006 from the Permanent Representative of Mali to the United Nations addressed to the President of the General Assembly

Further to my letter of 7 April 2006, I have the honour to transmit to you, herewith, the aide-memoire on Mali's voluntary pledges and commitments, in accordance with the provisions of General Assembly resolution 60/251 of 15 March.

(*Signed*) Issa **Konfourou**
Chargé d'affaires a.i.

Aide-memoire

Voluntary pledges and commitments by Mali in accordance with the provisions of resolution 60/251 on the Human Rights Council

Mali fully endorses respect for human rights and fundamental freedoms, as enshrined in its Constitution and the international legal instruments to which it is a party.

Mali has signed, ratified or acceded to nearly all the international legal instruments on human rights and fundamental freedoms. In accordance with its international commitments, it has submitted its initial and periodic reports to the monitoring mechanisms created for that purpose, such as the Human Rights Committee, the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women. Mali was the first State party to submit its initial report to the Committee on Migrant Workers.

Further to its democratization process in 1991, Mali has strengthened its institutional mechanisms for the promotion and protection of human rights and fundamental freedoms in particular, through the National Advisory Commission on Human Rights, the Ombudsman, the Private-sector Facilitator, the Higher Council on Communication and the National Committee on Equal Access to State Media. It has also reaffirmed the principle of the separation of powers and laid down clear definitions of each authority's sphere of competencies.

In 1994, Mali created a unique mechanism for the promotion and protection of human rights: the Forum for Democratic Challenges (*Espace d'interpellation démocratique*). To pay special tribute to the 1948 Universal Declaration of Human Rights on the anniversary of its adoption, the Government of Mali organizes on 10 December of every year a forum, presided over by a jury that gives citizens an opportunity to air their grievances to government officials and hear their responses. After the discussion, the jury makes recommendations whose implementation will be monitored and evaluated before the next Forum.

The Constitution reaffirms the lay nature of the Malian State. It guarantees freedom of opinion, religion, association, assembly and protest as well as the right to vote. The Constitution also guarantees freedom of the press; Mali has more than 30 private newspapers and more than 150 independent local radio stations.

Under Malian law, a detainee is entitled to legal counsel as from the preliminary investigation phase.

Article 1 of the Malian Constitution provides that "the human person is sacred and inviolable. All individuals have the right to life, liberty, security and integrity of person". In this spirit, the Government of Mali adopted a draft law in 2002 declaring a moratorium on the death penalty for a period of two years. It should be noted that, in Mali, the death penalty has not been imposed since 1984. The National Assembly of Mali currently has before it a draft law abolishing capital punishment.

Mali has taken a number of measures to strengthen the rule of law and the Government's obligation to enforce the principle of equality of all citizens in their relations with the civil service, including Act No. 98/12 of 19 January 1998 on relations between the civil service and public service users.

Mali is a member of a number of intergovernmental mechanisms for the promotion and protection of human rights, such as the Community of Democracies, which it is chairing for the period 2005-2007.

Given its tradition of unwavering commitment to the promotion and protection of human rights, the Government of Mali has decided to submit its candidacy for the Human Rights Council. If elected, Mali pledges to, inter alia:

1. stress cooperation and constructive dialogue between members and non-members of the Human Rights Council with a view to enhancing the effective execution of its mandate;

2. continue to honour its obligations to submit initial and periodic reports, under the international legal instruments to which it is a party, to the respective treaty monitoring bodies and implement their recommendations;

3. support the active participation of non-governmental organizations (NGOs) and other civil society representatives in the work of the Council;

4. encourage States that have not yet done so to become parties to the major human rights instruments and, accordingly, to comply with their obligations thereunder;

5. strengthen democracy, good governance, the rule of law and human rights through bilateral and multilateral cooperation, particularly through the United Nations;

6. cooperate fully with the procedures and mechanisms of the Human Rights Council;

7. promote the development of human rights norms; and

8. promote human rights education.